2. "That at page 1, line 3, *after* the figure "1" the bracket and figure "(1)" be *inserted.*"

3. "That at page 1, line 4, *for* the figure "1993" the figure "1996" be *substituted.*"

4. "That at page 1, *after* line 4 the following be *inserted,* namely:—

'(2) it shall be deemed to have come into force on the 16th day of November, 1995.'"

The questions were put and the motion were adopted.

Clause 1, as amended, was added to the Bill.

THE ENACTING FORMULA

SHRI M. ARUNACHALAM: I move:

1. "That at page 1, line 1, *for* the word "*forty-fourth*" the word "Forty-seventh" be *substituted.*"

The question was put and the motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

SHRI M. ARUNACHALAM: Madam, I beg to move:

"That the Bill, as amended, be passed."

The question was put and the motion was adopted.

THE REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL, 1996

THE DEPUTY CHAIRMAN: Now, we have the Representation of the People (Amendment) Bill, 1996. I have to tell the Members that I have got a lot of names before me. I leave it to the Members whether they want to have the President's signature on the Bill today....

SHRIMATI JAYANTHI NATARAJAN: (Tamil Nadu): Madam, I want to cooperate.

Ord. 24 of 1996. Repeal of Saving.

I think it is most unfair on the part of the Government to bring such an important Bill. We have given amendments. Now, the Government says, "Pass it without discussion because it lapses tomorrow. The president has to sign it." What were they doing? The notification is coming tomorrow. The president has to sign it. All this really shows that they are taking the House for granted. Madam, we have to speak on this Bill. It is such an important Bill. I got so many things to say on the Bill. It is not something that can be done lightly. The Government is really taking the House for granted. I move my amendments also. There has to be an end to this. Every day you cannot bring a Bill in one hour and circulate it half-an-hour before and then ask us to pass it withing half-an-hour. This is too much.

SHRI SATISH AGARWAL (Rajasthan) : Madam, I share the concern expressed by my colleague. On my behalf and on behalf of my party, I would like to express our concern about the manner in which this Bill is being sought to be hurried through. It is such an important piece of legislation. Mr. Gurudas Das Gupta came to me and told me that we should pass this Bill without delay. Madam, how many Bills should we pass without a debate? To what extent, you seek our cooperation? After all, what should we do? We are also very keen that this Bill should be passed. Many important amendments have been moved by Mr. Vayalar Ravi and we are in agreement with some of his amendments.

SHRIMATI MARGARET ALVA (Karnataka): These amendments have not been circulated by the Minister of Parliamentary Affairs.

SHRI PRANAB MUKHERJEE (West Bengal): Madam, as you have pointed out, there is a time constraint. We are fully aware of it. My submission to the House would be, all the amendments which have been moved by the Members, I hope are in the possession of the Government. I understand that the

Government is going to bring forward a comprehensive Bill at some point of time. At this stage, as they are not getting an opportunity to move their amendments and express their views on the Bill, the Minister should incorporate their amendments in the proposed comprehensive legislation. Before he formulates them, I suggest that he should have a discussion with hon. Members at that point of time. This is my suggestion for the consideration of the Government.

SHRI M. A. BABY (Kerala) : Madam, I want a discussion. We share the sentiments expressed by my hon. colleagues. This is the right of the House to discuss such an important Bill. But, unfortunately, we also understand the exrtaordinary situation wherein in an extraordinary manner we have to concede to the request made by the Treasury Benches. At the same time, we want to state that in future the Government should take note of this fact and the House should not be put in such embarrassing situation. This is the only thing I want to submit.

श्री रामदास अग्रवाल (राजस्थान): महोदया, यह जो संशोधन लाया गया है, जो बिल लाया गया है यह बड़े महत्वपूर्ण विषय पर लाया गया है और जल्दबाजी में लाया गया है। इसकी जल्दी उनको है यह बात सही है। लेकिन इस विषय पर सब लोग बोलना चाहते हैं क्योंकि यह बहुत महत्वपूर्ण और भविष्य के लिए बहुत आवश्यक है। महोदया, मैं यह समझ रहा हूं कि इस बिल के अन्दर जो बातें आनी चाहिएं थीं वह भी नहीं आई हैं जो कि बहुत महत्वपूर्ण और आवश्यक है। मैं सरकार से यह मांग करना चाहता हूं कि इस सदन का सत्रावसान होगा और 26 अगस्त से पुनः सत्र शुरु होगा उसमें कंप्रेहन्सिव बिल लाया जाना चाहिए और उस पर पूरी तरह से विचार-विनिमय होना चाहिए। ताकि पांपल रिप्रजेंटेटिव बिल में जो आवश्यक बातें रह गई हैं वे सम्मिलित की जा सकें और उस पर सब लोग अपने विचार व्यक्त कर सकें।

SHRIMATI JAYANTHI NATARAJAN: Madam, I have given my amendments, but I am not going to move them because my leader has directed me not to do so. However, I want an assurance from the Minister that the question of one-third reservation for women in the State Legislatures and in Parliament would be brought forth, if not now, at least when we meet after the ensuing recess.

Madam, it is in the Common Minimum Programme. It has to be a part of any comprehensive package. They are bringing forth a legislation to reduce the number of non-serious candidates and all sorts of things. The Minister should give us an assurance that he would bring forth a Bill for providing one-third reservation for women in State Legislatures and in Parliament; otherwise I want to press my amendments.

SHRI SATISH AGARWAL: The Prime Minister has stated on the floor of the House that it has been included in the Common Minimum Programme.

THE DEPUTY CHAIRMAN: If we are going to discuss so much, then, I am sure that this piece of legislation would not be discussed in detail.

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, I only join my colleagues, many of my colleagues, in saying that the Government, particularly the Ministry of Parliamentary Affairs—let me identify particularly the Ministry of Parliamentary Affairs—has been failing in its responsibilities. It is for Mr. Gujral, a seasoned politician and parliamentarian, to kindly take note of the feelings of all of us and to ensure that such lapses do not recur in this House and that the Government functions nearly as a unified body and this House is shown respect. What has happened is a disrespect to the House and contempt for Members. It should not happen. I endorse the suggestion of Mr. Pranab Mukherjee that while drafting a comprehensive Bill, all the amendments that are being put forth should be taken into consideration. And the Government should make up its mind on the assurance that was given on the floor of the House by the Prime Minister on the question of 33 per cent reservation, 40 per cent.....*(Interruptions)*.

SHRIMATI MARGARET ALVA: Thirty-three per cent.

SHRI GURUDAS DAS GUPTA: I am sorry. It is 33 per cent. *(Interruptions)*. I am sorry.

THE DEPUTY CHAIRMAN: At the present moment, it is zero per cent.

SHRI GURUDAS DAS GUPTA: It should make up its mind on 33 per cent reservation for the weakest section of the community, that is women.

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): We do not want any maximising. We want what our right is. We are 30 per cent of the population.

SHRI VAYALAR RAVI (Kerala): Madam, while accepting our leader's view, I want to say this. I have given three amendments and Shrimati Jayanthi Natarajan has given one. Totally, there are five amendments. I do not want to move them and take the time of the house now. As the leader of my party has suggested, these amendments may be taken into account in the comprehensive Bill. You have made two very important amendments in the provisions. One is about the standing of observers. Observers have been given very wide powers. Who should be observers? A Deputy Collector cannot be made an observer. He may go by the direction of the Congress or whatever party. He will obey the orders of the Government, the party in power at that time in that State. When you give wide powers to observers, this is a very serious thing to be looked into.

Secondly, nowdays, there is total shuffling before counting of votes. There is an order by the Election Commission. It there are more than 90 per cent votes in a booth.....*(Interruptions)*.

DR. BIPLAB DASGUPTA: Madam,.....*(Interruptions)*.

THE DEPUTY CHAIRMAN: Mr. Biplab Dasgupta, you spoke and it was okey; he speaks and it is not okay! *(Interruptions)*. He has got his amendments. It you do not cooperate, he might move them. Please have patience. *(Interruptions)*. This is not fair. What you do is right and what he does is wrong! I am fair to the House. There are reservations on this Bill. There are reservations of Members who have given amendments. You cannot force them down and say, "Do not even speak about it". *(Interruption)*.

DR. BIPLAB DASGUPTA: Madam, I am not saying that. All that I am saying is, have you started a substantive discussion? *(Interruptions)*. I do not understand this from the way it is going on. *(Interruptions)*.

SHRI VAYALAR RAVI: I will coope rate. *(Interruptions)*.

THE DEPUTY CHAIRMAN: Mr. Biplab Dasgupta, are you running the House? *(Interruptions)*. I am very sorry.

SHRI VAYALAR RAVI: Madam, we are fully cooperating. I am only making an important point. *(Interruptions)*.

SHRIMATI JAYANTHI NATARAJAN: We will also insist on speaking. It is not their prerogative to take two hours of the House. *(Interruptions)*.

SHRI VAYALAR RAVI: There was a direction from the Election Commission. If, in a booth, there are more than 90 per cent votes, it is booth capturing. When shuffling goes on, it ought to be null and void Madam, for the purpose of preventing booth capturing also, the order of the Election Commission must be there. This kind of legislation must be there. That is why I am saying this. I have given four amendments and Shrimati Jayanthi Natarajan has given one. Only these amendments have been given. We have proposed the amendments to regulate it properly. I am cooperating with the Government. But I want to go on record as to the main issue involved in these amendments. These amendments will not come on record because they are not being moved. That is why I explained the point now.

With these words, I fully agree with the suggestion made by our leader and we will go by that.

THE DEPUTY CHAIRMAN: Gujral ji, let me put the record straight. Then I would like you to speak. Since afternoon, the Government is having discussion with me in my Chamber. There were so many hurdles which we have been able to remove. We allowed them to bring a legislation which has been passed by the Lok Sabha and which has not even been typed out properly. We allowed them to move amendments which were adopted by Lok Sabha. We told them that you just circulate the Bill as it is if the same has not been printed. Even then the Members sitting in the House would say anything they like. They do not know how I am requesting everybody to co-operate. You could have thought of it when you had discussons when the previous Bill was moved. You are a part of this House. You are a party to this commitment. You could have thought of it and condensed your discussion. I heard it in my Chamber, everybody was speaking freely. But when it comes to some very substantial amendments which the hon. Members want to move and which are going to affect hundreds and thousands of peoples lives, you want to just rush through them without giving any opportunity to the Members to put forth their point of view. He is within his right to move it. If he does not withdraw it and he moves it, I will allow him. So you should understand where you have to allow people to speak and where you have to stop people from speaking. *(Interruptions)* Let Dr. Biplab Dasgupta run the House. If you want to run the House I will just walk out. I will leave this House. If you behave like this with me I will leave the House. *(Interruptions)* I will leave this House and I will just adjourn the House. *(Interruptions)*.

DR. BIPLAB DASGUPTA: You are attributing to me things which I did not say. *(Interruptions)*

the whole day. *(Interruptions)* They should be here and not in the Chamber.*(Interruptions)* Nobody is available even to ask. *(Interruptions)*

THE DEPUTY CHAIRMAN: Even I had to telephone the hon. Chairman to wait for this Bill till late in the night so that it can be signed by him and sent to the President. If the Members do not appreciate all this work which I am doing which is not part of my duty then I am really sorry for their behaviour. I am very

THE DEPUTY CHAIRMAN: Let the Government handle their own people. What is this? We are trying to work till late in the night to help the Government to pass a legislation which is going to affect the people. They are co-operating and removing their amendments. What is this going on? Do you want to throttle the Members? Do you want them not even to speak about it? What is this? I don't understand. The Members think that they can get away with everything. Now Gujral Ji.

THE LEADER OF THE HOUSE (SHRI I.K. GUJRAL): Madam I rise to thank you for the way you have been able to accommodate our Bills and also various cts. I am very grateful to you. I am very grateful to the House for the gracious way in which the House has cooperated and I must deeply regret if we have caused you so much of strain on time and not allowed the debate to go on as we should have. I apologise to you for that. I assure the House that this will not happen again and we will definitely work it out in a scheduled way because afterall the essence of democracy is debate and there is no intention whatsoever on the part of the Government to throttle or thwart the debate. The debate must be free and unhindered and we will always cooperate with them. Therefore, I really acknowledge with gratitude the accommodation that the House is giving to the Government at this juncture and I apologise for any inconvenience caused to all of you.

Before concluding I would like to say one thing regarding 33 per cent reservation for women. Well I don't want to take advantage. But I want to claim one credit for myself. While sitting on that side of the House I was the first to move a Non-Official Bill in the last Session for 33 per cent reservation for women. This is a matter of commitment for all of us and we will honour it. I can assure you that much. Thank you Madam.

SHRIMATI MARGARET ALVA: But there is a need to sit in the House sorry for their behaviou in the House. It is very unfortunate.

SOME HON. MEMBER: We fully appreciate, Madam.

DR. BIPLAB DASGUPTA: Whose behaviour?

THE DEPUTY CHAIRMAN: Yours.

DR. BIPLAB DASGUPTA: It cannot go on like this.

THE MINISTER OF STATE OF THE DEPARTMENT OF LEGAL AFFAIRS, LEGISLATIVE DEPARTMENT AND DEPARTMENT OF JUSTICE (SHRI RAMAKANT D. KHALAP): Madam, I beg to move:

> "That the Bill further to amend the Representation of the People Act 1950 and the Representation of the People Act 1951, as passed by the Lok Sabha, be taken into consideration."

THE DEPUTY CHAIRMAN: Now you make some comment at least. You say something what is to be said on that. How can it be passed without your commenting something when the Bill is officially moved.

SHRI RAMAKANT D. KHALAP: Madam, the Leader of House has already given an assurance. I repeat that assurance. In fact, we held meetings before this Bill was tabled in Lok Sabha. There were meetings between the Government and leaders of various political parties. A number of suggestions were put forward by the leaders and a concensus was arrived at regarding some provisions of the Bill. Wherever there was concensus regarding its provisions, we comprised them into the Bill and that Bill came before Lok Sabha. Then during the stage of consideration, various other suggestions were put forward. The suggestions, which emerged in the meeting of leaders of various political parties, were incorporated in the Bill by way of official amendments. Thereafter, this Bill was accepted by Lok Sabha. In Lok Sabha also we gave an assurance that we would come out with a comprehensive Bill. Before we come out with a comprehensive Bill, we shall once again be meeting the leaders of various political parties. Once the concensus is arrived at, we will be coming before the House. I repeat this assurance before this House also. After the 2nd August and before the 27th August, in the inter-session period, one more meeting with the leaders of different political parties will be organised and a comprehensive Bill will be prepared with the help and cooperation of all the hon. Members. *(Interruptions)*. So far as reservation for women is concerned, this assurance has already been given.

The question was proposed.

THE DEPUTY CHAIRMAN: The Leader of the house has made a commitment. I must point it out to you. The Leader of the House has made this commitment as the Leader of the House. He is the one who moved a Private Member's resolution from this side. When the Bill is before us for disposal, at this point of time, whatever assurance you give, it will become a commitment, not the one he makes outside. You make it now if you want to make it.

श्रीमती वीणा वर्मा (मध्य प्रदेश): उपसभापति महोदया, मैंने भी 12 जुलाई को एक प्राइवेट मैम्बर्स बिल कांस्टीट्यूशन को अमेंड करने के लिए इंट्रोड्यूस किया है जिसमें महिलाओं को 33 प्रतिशत रिज़र्वेशन के लिए कहा है। मैं यह रिकॉर्ड पर लाना चाहती हूं कि मेरा भी प्राइवेट मेम्बर्स बिल है।

SHRI RAMAKANT D. KHALAP: Madam, I assure this House that when we come out with a comprehensive Bill in the House the commitment regarding reservation for women—it will be a constitutional amendment—will also be fulfulled. We can decided upon the timeframe in the meeting. We will take into consideration the viewpoints of Members of all the political parties.

That is the assurance. I think it is sufficient.

SHRI SATISH AGARWAL (Rajasthan): Madam, with this assurance from the hon. Minister we do not press for any discussion.

THE DEPUTY CHAIRMAN: Now the question is:

"That the Representation of the People (Amendment) Bill, 1996, as passed by Lok Sabha, be taken into consideration."

The motion was adopted.

THE DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill

Clauses 2 to 17 were added to the Bill.

Clause 1, the Enacting Formula and the Tetle were added to the Bill.

SHRI RAMAKANT D. KHALAP: Madam, I beg to move:

"That the Bill be passed."

The question was put and the motion was adopted.

THE RAMAKANT D. KHALAP: Madam, I am grateful to you and to every hon. Member of this House for the cooperation. I will kept up my promise.

THE DEPUTY CHAIRMAN: The House is adjourned till 11 a.m. tomorrow.

The House then adjourned at two minutes past nine of the clock till eleven of the clock on Thursday, the 1st August, 1996.